

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION**

**DEUTSCHE BANK NATIONAL TRUST §
COMPANY AS TRUSTEE FOR HSI §
ASSET SECURITIZATION §
CORPORATION TRUST 2006 OPT4, §
MORTGAGE-PASS THROUGH §
CERTIFICATES, SERIES 2006-OPT4,**

Plaintiff,

Civil Action No. 4:20-cv-2577

v.

MARK STUBBLEFIELD

Defendant.

PLAINTIFF'S SECOND MOTION TO CONTINUE PRETRIAL DATES

Plaintiff Deutsche Bank National Trust Company, as Trustee for HSI Asset Securitization Corporation Trust 2006 OPT4, Mortgage-Pass Through Certificates, Series 2006-OPT4 (“Deutsche Bank” or “Plaintiff”) file this its *Second Motion to Continue Pretrial Dates* (the “Motion”), and respectfully show as follows:

1. Plaintiff filed its *Original Complaint* on July 22, 2020 (the “Complaint”) seeking a declaratory judgment allowing Plaintiff’s to enforce the security instrument through non-judicial foreclosure of the subject property. (ECF Docket No. 1.)
2. On January 20, 2021, the Court entered a docket order establishing a deadline of October 29, 2021, for the Plaintiff to submit a joint pretrial order and setting a pretrial conference for November 5, 2021. (ECF Docket No. 22.)

3. On July 16, 2021, Plaintiff filed its *Motion for Summary Judgment* against Defendant Mark Stubblefield (“Defendant”). (ECF Docket No. 31.) This Court ordered that Defendant’s response would be due within twenty-one (21) days after the filing of Plaintiff’s Motion for Summary Judgment. (ECF Docket No. 30.) Defendant’s response was due by August 6, 2021. To date, no response has been filed by the Defendant. Accordingly, the Court may take the Plaintiff’s non-response as representation of no opposition. (See LR 7.4.)

4. On October 19, 2021, Plaintiff filed a Motion to Continue Pre-Trial Deadlines. (ECF Docket No. 33.) The same day, the Court entered an order extending the deadline to file the pre-trial report to January 7, 2022 and scheduling the pretrial conference for January 14, 2022. (ECF Docket No. 34.)

5. In light of the no opposition to the Plaintiff’s Motion for Summary Judgment, Plaintiff respectfully request that the deadline to file a pretrial order and settings be continued so that the Court can rule on the pending motion which if granted, would dispose the entire case without the need of a trial.

6. This motion is filed not for purpose of delay, but so that justice may be done and to avoid wasting the time and resources of the Court. No parties will be prejudiced by this request.

WHEREFORE, PREMISES CONSIDERED, Plaintiff hereby prays that this Court extend the deadline for a joint pretrial order and the setting for the pretrial conference and for such other relief to which it may be justly entitled.

Respectfully submitted,

By: /s/ Vivian N. Lopez
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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF CONFERENCE

I hereby certify that on January 3, 2022, I attempted to confer via phone call with pro se Defendant Mark Stubblefield, but he did not respond.

/s/ Vivian N. Lopez
VIVIAN N. LOPEZ

CERTIFICATE OF SERVICE

The undersigned certifies that on January 3, 2022, a true and correct copy of the foregoing was served on the following individuals in the manner described below.

Via U.S. Mail
Mark Stubblefield
9 Yewleaf Ct.
Spring, TX 77381

/s/ Vivian N. Lopez
VIVIAN N. LOPEZ